

unpatentable over D'Agostino in view of Dworkin and U.S. Patent No. 5,899,982 to Randle; and each of dependent claims 38, 55 and 66 stands rejected as allegedly unpatentable over various combinations of D'Agostino, Dworkin, Randle and U.S. Patent No. 5,347,632 to Filepp et al. ("Filepp"). Finally, the Examiner maintained an obviousness-type double patenting rejection against claims 30-76 over U.S. Patent No. 6,055,514 in view of D'Agostino, Dworkin, Randle and Filepp.

II AMENDMENTS

Pursuant to the Examiner's invitation, the paragraph in the specification beginning at page 17 line 23 and continuing through page 18, line 15, has been amended and additional accompanying paragraphs added to further describe FIG. 1. Applicant respectfully submits that this amendment is supported by the specification including FIG. 1 and that no new matter has been added. Entry of the amendment is respectfully requested.

Additionally, claim 76 has been amended to correct a typographical error. No new matter has been added. Applicant respectfully request entry of the amendment and reconsideration on the merits.

III THE REJECTIONS OF CLAIMS 30-87 UNDER 35 U.S.C. § 112, FIRST PARAGRAPH, SHOULD BE WITHDRAWN

Claims 30-87 stand rejected under 35 U.S.C. §112, first paragraph. More specifically, in paragraphs 3 and 4 of the Action, the Examiner stated that that "[t]he specification does

not describe in any specificity how the system comprises a computerized central communications system that is adapted to be coupled to a plurality of other computerized communications facilities." (Emphasis added.) The Examiner interpreted FIG. 1 as showing central facility "2" through central facility "n" coupled to remote facility 14 but not to each other. Applicant respectfully disagrees with the Examiner's application of this rejection to all claims, and also specifically disagrees with the Examiner's interpretation of FIG. 1, and thus traverses the rejection for the reasons more specifically discussed below.

A. Claims 44-76 and 78-87

As an initial matter, applicant respectfully submits that the §112 rejection is inapplicable to claims 44-76 and 78-87 because these claims do not recite a computerized central communications facility coupled to another computerized central communications facility. Specifically:

- In pertinent part, independent claim 44 recites: "said first central communications facility adapted to direct said customer to a second central communications facility. . . ."
- In pertinent part, independent claim 59 recites: "said first database adapted to direct the customer at a remote location to a second database"
- In pertinent part, independent claim 70 recites: "said central communications facility adapted to direct said customer to at least one other central communications facility"

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- In pertinent part, independent claim 82 recites: "at least one of said central communications facilities adapted to provide information to enable said remote facility to select another one of said central communications facilities."

- Finally, independent claim 87 recites, in pertinent parts: "said central communications facility further adapted to be accessible to said customer through at least one other central communications facility"

Clearly, none of the independent claims 44, 59, 70, 82 and 87 recite a computerized central communications facility that is adapted to be coupled to a plurality of other computerized central communications facilities. Instead, they recite, for example, directing or providing information that directs the remote facility to another central communications facility.

Moreover, the instant specification adequately supports the claimed subject matter in each of independent claims 44, 59, 70, 82 and 87. For example, the specification at page 16, after the first full paragraph, discloses: "the customer may activate the system causing it to retrieve from a central communications facility a directory of goods and services available and thus permitting the customer to select another central facility from a displayed list or catalogue and establish contact with it and thus have access to numerous central facilities" (See the Amendment to Specification appearing in the Response to Office Action dated November 9, 2001.) Inasmuch as this recitation describes a system where a first communication facility directs the customer to another communications facility, Applicant respectfully submit that each of independent

claims 44, 59, 70, 82 and 87 finds adequate support in the specification.

For at least these reasons, Applicant respectfully requests reconsideration and withdrawal of the § 112, first paragraph, rejections of claims 44-76 and 78-87.

B. Claims 30-43 and 77

Applicant respectfully submits that the specification adequately describes the invention set forth in claims 30-43 and 77. Independent claim 30 recites, *inter alia*, "a first computerized central communications facility adapted to be coupled to a plurality of other computerized central communications facilities" which is the target of the Examiner's rejection under 35 U.S.C. §112.

Referring to FIG. 1, Applicant notes that one central communication facility 12 is shown in expanded view to be coupled to remote facility 14 via communications link 40; this is depicted schematically using a solid line to connect central communication facility 12 is shown coupled to remote facility 14. Applicant further notes that each additional central communications facility 12 #2 through #n is not only coupled to remote facility 14, but also each of central facility #2 and #n is linked to (or coupled to) each other. In this regard, Applicant further notes that Webster's II New College Dictionary defines "coupling" to be synonymous with "linking." (see Exhibit 1 attached hereto.)

Applicant respectfully submits that an ordinary skilled artisan would recognize in the instant disclosure a description of the invention as defined by the claims for several reasons.

First, the enlarged illustration of one of the central facilities 12, as compared with central facilities #2 through #n, is for illustrative and exemplary purposes only. That is, one central facility 12 is presented separate from each of central facilities #2 through #n merely to show, for example, one embodiment of a central communications facility. For this reason, FIG. 1 should not be construed as excluding any connection other than connections between a remote facility and each individual central communications facility. Indeed, FIG. 1 shows central communications facility #2 through central communications facility #n to be connected to each other as well as to remote facility 14 using a schematic drawing of a solid line of the same type used to illustrate the communications links 40 and 42 between exemplary central communications facility 12 and remote facility 14.

Furthermore, the exemplary computerized central communications facility illustrated in FIG. 1 includes the capability to communicate via a telephone and a modem with other entities. Given the exemplary representation of computerized central communications facility 12, an ordinary skilled artisan would have understood that each of central communications facilities #2 through #n would have at least the same functionality and capability as that of the exemplary central communications facility 12. As such, an ordinary skilled artisan would have understood from reviewing FIG. 1 and the

written description that each of central communications facilities #2 through #n is capable of communicating with other central communications facilities via, for example, the modem. Given that each of the central communications facilities in the exemplary embodiment of FIG. 1 has a modem for communication with other entities, and that the schematic representation of FIG. 1 shows a line connecting computerized central communications facility #2 through #n, Applicant respectfully submits that one of ordinary skill in the art would have understood FIG. 1 as linking (or coupling) each of the central communications facilities to each other.

Indeed, Applicant respectfully submits that one of ordinary skill in the art would readily understand that the line connecting central communications facilities # 2 and #n shows that they are coupled or linked with each other. In this regard, Applicant submits as an attachment hereto, a schematic representation of interconnected computers which appeared in the book entitled "*Computers A Visual Encyclopedia*" by Alpha books, copyright 1994, page 226. (See Exhibit 2 attached hereto.) As shown in the illustration of Exhibit 2, a cable or a bus is interconnecting many computers. The description reads: "In a bus network, PC's are connected to a central cable called the bus." A similar schematic representation of interconnected computers which appeared in the book entitled "*Internetworking with TCP/IP Vol I: Principles, Protocols, and Architectures*" by Douglas E. Comer, 3^{ed} edition, published 1995, page 21. (See Exhibit 3 attached hereto.) As shown in the FIG. 2.2(B) of Exhibit 3, a cable or a bus is interconnecting many computers. The description of FIG. 2.2(B) reads "the schematic diagram of

an Ethernet with many computers connected." Thus, as described in the specification as amended, the line connecting each of the central communications facilities 12(#2) through 12(#n) is interpreted by one of ordinary skill in the art as interconnecting or linking the central facilities with each other.

The claim recitation that one central communications facility is coupled to another central communications facility is also supported by other portions of the specification which describe how a user may contact one of a plurality of central facilities. For example the specification at page 20, line 2-7, discloses:

The customer presses an auto dial button 44 on the speaker phone 20 or uses his input device such as a touch screen to select a central facility to contact from a list displayed on his monitor and in doing so establishes contact with the financial services company 12 and perhaps its agent by way of some means of transmitting data, audio, and/or visual information

(Emphasis added.)

In addition, the specification at page 16 after first full paragraph (as amended in Applicant's Response to Office Action mailed August 27, 2001), discloses:

In that sense an electronic phone book may be stored at the remote facility or instead upon pressing or utilizing the touch screen, keyboard or input device the customer may activate the system causing it to retrieve from a central facility a directory of goods and services available and thus permitting the customer to select another central facility from a displayed list or catalogue and establish contact

with it and thus have access to numerous central facilities and a myriad of goods and services.

(Emphasis added.)

Thus, the specification discloses at least one exemplary embodiment where a customer at remote facility can "select a central communications facility from a list displayed on his monitor" to establish contact therewith. The specification also discloses that the customer may be provided with a directory of goods and service providers from a central communications facility. It follows that the central communications facilities are coupled to each other since they enable the customer to be directed from one central communications facility to another central communications facility by, for example, utilizing a touch screen or other input means at the customer's facility.

For at least these reasons, Applicant respectfully submits that the amended specification and FIG. 1 adequately support a first computerized central communications facility coupled to a plurality of other computerized central communications facilities. Reconsideration and withdrawal of the rejections under 35 U.S.C. §112, first paragraph, is respectfully requested.

IV OBVIOUSNESS REJECTIONS SHOULD BE WITHDRAWN

A. CLAIMS 30-37, 39-43 AND 77 ARE NOT OBVIOUS IN LIGHT OF THE PRIOR ART

Claims 30-37, 39-43 and 77 stand rejected as allegedly unpatentable over D'Agostino in view of Dworkin. For at least

the reasons that follow, Applicant requests reconsideration and withdrawal of this rejection.

In pertinent part, independent claim 30 recites "a first computerized central communications facility adapted to be coupled to a plurality of other computerized central communications facilities, each of said first or other computerized central communications facilities having information relating to goods or services stored in a database" (Emphasis added.)

First, D'Agostino does not disclose or teach that the representative terminals have a database having information relating to goods or services.

Furthermore, D'Agostino does not disclose, teach nor suggest the presence of a central communications facility coupled to other central communications facilities. FIG. 1 of D'Agostino (cited by the Examiner) discloses a plurality of customer terminals (14A-14X) linked to representative terminals (12A-12X). Even if, *arguendo*, the representative terminals of D'Agostino are assumed to be analogous to the central communications facilities of the present invention, nevertheless these representative terminals are not coupled to each other. More specifically, there are no links *between* any two representative terminals shown in Fig. 1 of D'Agostino or described therein; this is demonstrated by the absence of any solid or dashed lines between any two representative terminals. Instead, as shown in FIG. 1 of D'Agostino, the representative terminals are shown linked *only* to customer terminals. This contrasts with the present invention which shows and describes

with respect to Fig. 1 that there are specific and express communications links connecting central communications facility 12(#2) through central communications facility 12(#n). Thus, nothing in D'Agostino teaches or suggests that the representative terminals are linked to each other.

Indeed, D'Agostino teaches away from having the representative terminals connected to each other. D'Agostino considers a serious disadvantage with the prior art systems to be the lack of human interaction. See col. 2, lines 5-6. Thus, D'Agostino discloses a method where a customer initiates the service by dialing a representative at the financial institution allowing the institution's representative to

seize control of a desired customer terminal in response to a verbal customer request over a telephone line, thereby displaying financial service information at the customer terminal under control of the representative terminal.

Col. 4, lines 6-14. The importance of allowing the customer representative to control the display on the customer's terminal is stressed throughout the D'Agostino reference, see, for example, col. 4, lines 39-41; col. 4, lines 44-48 and col. 6, lines 53-56. Thus, because D'Agostino teaches that each representative terminal must control the customer terminal to which it may be connected, it would make no sense to establish connections between representative terminals in D'Agostino because these terminals cannot control each other.

The secondary reference cited by the Examiner, Dworkin, does not cure the deficiencies of D'Agostino. Referring to col.

4, lines 3-8, and in reference to FIG. 1, Dworkin discloses customer terminal 5 connected to CPU 1. In col. 4, lines 8-10, Dworkin explains "In a preferred embodiment, there are many terminals, operated by many users, all connected to central computer 1." This is further illustrated in the embodiment of FIG. 1, where customer terminal 5 is linked to central computer ("CPU") 1 and CPU 1 is linked to a plurality of vendors. Even assuming, *arguendo*, that the central CPU 1 disclosed in Dworkin is analogous to a central communications facilities of the present invention, nevertheless CPU 1 is not linked to other central computers; Dworkin only discloses a single central computer. And, the same assumption cannot be made with respect to the vendors disclosed in Dworkin. Dworkin does not disclose vendors having the functionality of the central communications facility as claimed in claim 30. For example, the vendors in Dworkin are not disclosed to have a database of goods or services.

Moreover, Dworkin does not provide customer access to the vendor; indeed, the customer in Dworkin can only conduct search of the central CPU. Hence, the secondary reference fails to disclose, teach or suggest connecting the central computer to a plurality of other central computers as set forth in claim 30.

For at least this reason, Applicant submits that the references, even if combined, will not disclose, teach nor suggest at least the limitation of independent claim 30 set forth above.

Applicant also maintains that the references cannot be combined because, *inter alia*, such a combination would be

contrary to the principles of D'Agostino and rendering it unsuited from its intended purpose. As explained more fully above and in Applicant's prior response, D'Agostino requires that an operator at the representative terminal take control of the customer terminal, thereby controlling what is displayed on the customer terminal; the customer has no control over the what is displayed. In contrast, Dworkin discloses a menu-driven computerized system where the customer (and not a representative from the central system or vendor) controls the customer display. See Applicant's Response to Office Action mailed August 27, 2001, pages 23-24.

The Examiner stated that Applicant's arguments were unpersuasive since Dworkin allegedly "discloses means for a customer to communicate with the management of the system to register complaints, or to request help in using the system." Office Action at page 26 (internal citations omitted.)

Responsive to Examiner's observation, Applicant respectfully submits that while Dworkin may provide for a customer's communication with management to register complaints or request help, Dworkin nevertheless does not provide for the customer representative to seize control the display on the customer's terminal, contrary to the requirement of D'Agostino. Accordingly, as described more fully in Applicant's prior response, attempting to modify D'Agostino with the teachings of Dworkin would destroy the ability of representative to take control of the customer terminal, which is central to D'Agostino.

Applicant therefore respectfully requests the Examiner's reconsideration and withdrawal of this rejection.

Furthermore, as each of claims 31-37, 39-43 and 77 depends from and further limits the scope of independent claim 30, Applicant respectfully submits that for at least the reasons stated above, such dependent claims are non-obvious, and requests reconsideration and withdrawal of the rejection.

**B. CLAIMS 44-55, 57-65 and 67-76 and 78-87 ARE NOT
OBVIOUS IN LIGHT OF THE PRIOR ART**

Claims 44-55, 57-65 and 67-76 stand rejected as allegedly unpatentable over D'Agostino in view of Dworkin and further in Randle.

Applicant respectfully submits that Randle is not prior art since the rejected claims find support in the '309 Application. Randle has a filing date of June 25, 1998 and purportedly is a continuation of U.S. Application Nos. 08/401,075 and 08/523,692 filed respectively March 8, 1995 and September 5, 1995. Therefore, Randle is not prior art against the rejected claims.

Specifically, support in the '309 Application for each of the rejected claims is found in the following Table:¹

¹ All references to "the specification" are directed to the '309 Application. Applicant notes that the following Table provides examples of support in the '309 application and should not be construed as limiting or excluding other supporting text. Applicant further notes that this presentation in no way limits Applicant from establishing support for any of the claims in any earlier priority application.

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Claim	Support in the '309 Application
44. An apparatus for marketing at least one of goods or services, comprising	The specification at page 1, lines 10-17 discloses: "The present invention generally relates to . . . system and method for facilitating transactions. . . ."); page 13, lines 9-12 discloses "In this respect the system may be used to execute a transaction between the customer and the central facility"
a first central communications facility to provide a first database of information relating to goods or services to a customer at a computerized remote facility,	The specification at page 16, lines 3-7, discloses: "[t]he customer may establish contact with the central facility's equipment without the assistance of a representative and merely help himself in a self-service mode where he may browse through databases of goods and services."

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Claim	Support in the '309 Application
said first central communications facility adapted to direct said customer to a second central communications facility to provide a database of information relating to a second set of information relating to goods or services	Examples of one central communications facility directing the customer to other central communications facility are throughout the specification, for example, the sentence bridging pages 9 and 10 discloses: "In that sense an electronic phone book may be stored at the remote facility or instead upon pressing or utilizing the touch screen, keyboard or input device the customer may activate the system causing it to retrieve from a central facility a directory of goods and services available and thus permitting the customer to select another central facility from a displayed list"
a communication device to enable each of said first central communications facility and said second central communication facility to communicate with said remote facility, said communication including transmitting said first or second set of information from said first or second central communications facilities to said remote facility.	Figure 1 schematically illustrates a communication device, a modem, present in both the remote facility 14 and the exemplary central communications facility 12 for providing data communications between central communications facility and the remote facility. Further, the specification at page 14, lines 23-32: "As seen in FIG. 1, this equipment includes a modem 30, a digital computer 32 or other means for processing information, instructions or data, a phone 34 or other means for voice exchange or audio transmission"

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Claim	Support in the '309 Application
45. The apparatus of claim 44, further comprising means enabling said central communications facility or said other central communications facilities to conduct a transaction with said remote communications facility.	At page 13, lines 9-11, the specification discloses: "In this respect the system may be used to execute a transaction between the customer and the central facility"
47. The apparatus of claim 44, wherein said central communications facility or at least one of the other central communications facilities further provides a directory of providers of goods or services.	Examples of one central communications facility directing the customer to other central communications facility are throughout the specification, for example, at the paragraph bridging pages 9 and 10, the specification discloses: "In that sense an electronic phone book may be stored at the remote facility or instead upon pressing or utilizing the touch screen, keyboard or input device the customer may activate the system causing it to retrieve from a central facility a directory of goods and services available and thus permitting the customer to select another central facility from a displayed list"
48. The apparatus of claim 44, wherein said information relating to goods or services is an audio or a video presentation.	In reference to providing information to the customer at the remote facility, the specification at page 17, lines 14-17, discloses: "It may comprise audio and visual information related to those goods and services"

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Claim	Support in the '309 Application
49. The apparatus of claim 48, wherein said audio presentation is adapted to have the form of a computerized voice.	The specification at page 19, lines 21-22 discloses: "The system may also utilize voice synthesis"
50. The apparatus of claim 44, wherein said live customer assistance is an interactive form of assistance.	The specification at page 7, lines 18-23, discloses: "A number of terminals may be grouped to form an electronic shopping store permitting the customer to obtain desired information on the products of his choice while having access to highly knowledgeable representatives". In addition, the paragraph bridging pages 18 and 19 discloses: "Thus, the agent residing at the central financial services company 12 has the ability to control the above-described electronic communications equipment in the presence of the customer locates at the remote facility 14."
51. The apparatus of claim 44, wherein said apparatus further comprises means for recording a presentation stopping point for future reference.	The specification at the sentence bridging pages 10 and 11 discloses: "To facilitate such a technique the remote or central location may record the stopping point of the customer's last on-line presentation so that when contact is resumed an appropriate presentation continuing point may be ascertained."

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Claim	Support in the '309 Application
52. The apparatus of claim 44, wherein said goods or services include financial services.	The specification at page 23 lines 22-24, discloses: "Although the system 10 has been described with reference to financial services, the concept of the present invention is not so limited."
53. The apparatus of claim 44, wherein said goods or services include auctioning services.	Relating to auction services, the specification at page 7 lines 3-5 discloses: "In this fashion auction customers throughout the world may participate at local auction houses in auctions taking place throughout the world"
54. The apparatus of claim 44, further comprising a software application for assisting the central communications facility to download a contract to the computerized remote location.	The specification at page 10 lines 22-24, discloses: "Such downloaded software may be stored temporarily at the remote facility"; further, at page 20, lines 32-34, it is disclosed: "When appropriate the agent can then command the customer's printer 24 to create or print needed contracts and documents. . . ."
57. The apparatus of claim 44, further comprising a software application adapted to assist the customer to download information relating to goods or services from said central communications facility.	The specification at page 10, lines 7-12 discloses "While in general all or substantially all application software will be located at each central facility, such as programs which will prompt the customer for input, choices, or preferences so that the customer will contact the central facility and then indicate his choice or preferences"

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Claim	Support in the '309 Application
58. The apparatus of claim 44, further comprising means for downloading software from the central communications facility to the computerized remote facility.	The specification at page 10, lines 12-15 discloses: "[I]t may also be beneficial to download certain software from the central facility to the remote location to provide proper control and support for the customer"; also, at lines 17-19, the specification discloses: "This would provide for the simple updating of any needed communications or other remote located software at the remote facility and ensure that each remote location will be compliant with future standards"
59. A method for electronically transacting goods or services between a customer at a remote location and a plurality of providers of goods or services comprising providing a first database associated with a first provider of goods or services and containing information relating to goods or services,	The specification at page 1, lines 10-17 discloses: "The present invention generally relates to . . . system and method for facilitating transactions. . . ."); page 13, lines 9-12 discloses "In this respect the system may be used to execute a transaction between the customer and the central facility" The specification at page 16, lines 3-7, discloses: "[t]he customer may establish contact with the central facility's equipment without the assistance of a representative and merely help himself in a self-service mode where he may browse through database of goods and services.

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Claim	Support in the '309 Application
said first database adapted to direct the customer at a remote location to a second database associated with a second provider of goods or services;	Examples of one central communications facility directing the customer to other central communications facility are throughout the specification, for example, the sentence bridging pages 9 and 10 discloses: "In that sense an electronic phone book may be stored at the remote facility or instead upon pressing or utilizing the touch screen, keyboard or input device the customer may activate the system causing it to retrieve from a central facility a directory of goods and services available and thus permitting the customer to select another central facility from a displayed list"
enabling a remote facility to browse each of said first or second databases for information relating to goods or services.	The specification at page 16, lines 3-6 discloses: "[t]he customer may establish contact with the central facility's equipment without the assistance of a representative and merely help himself in a self-service mode where he may browse through database of goods and services."

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Claim	Support in the '309 Application
<p>60. The method of claim 59, further comprising establishing communication with a third database containing information relating to goods or services.</p>	<p>At page 10, line 6, the specification discloses: "[c]ausing it to receive from a central facility a directory of goods and services available and thus permitting the customer to select another central facility from a displayed list or catalogue and establish contact with it and this have access to numerous central facilities"</p>
<p>61. The method of claim 59, further comprising downloading a software application to said remote facility, said software application adapted to present additional information relating to goods or services to the customer.</p>	<p>At page 10, lines 7-9, discloses: "While in general all or substantially all application software will be located at each central"; at page 10, lines 12-15, the specification discloses: "[I]t may also be beneficial to download certain software from the central facility to the remote location to provide proper control and support for the customer". Also, the specification at page 10, lines 25-27, the specification discloses "It may also be beneficial to quickly download a catalogue of desired or requested information to permit the customer to review leisurely while terminating the communication link"</p>

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Claim	Support in the '309 Application
62. The method of claim 59, further comprising downloading a software application to the remote facility, said software application adapted to assist said customer in conducting a transaction using said first or said second database	The specification at page 10, lines 12-14 discloses: "[d]ownload certain software from the central facility to the remote location to provide proper control and support for the customer"; page 13 line 9-12: "In this respect the system may be used to execute a transaction between the customer and the central facility"
63. The method of claim 59, further comprising downloading a software application to the remote facility, said software application adapted to assist the customer to communicate with said first or said second database.	The specification at page 10, lines 12-16 discloses "It may also be beneficial to download certain software from the central facility to the remote location to provide proper control and support for the customer such as by means of appropriate communications software or operating systems."

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Claim	Support in the '309 Application
64. The method of claim 59, further comprising periodically updating each of said first and said second database.	Referring to deficiencies of the prior art, the specification, at page 2, line 23-27 discloses: "Furthermore, there are considerable costs for the retail sales businesses in maintaining separately these in-house systems or replacing them to keep pace with changing products and regulations." In addition, the specification at page 3, the paragraph bridging pages 3 and 4, discloses: "[The prior art's] method requires that the information to be displayed [to the] customer be stored in the computer at the remote facility unlike the preferred embodiment of the present invention where the information is centralized or stored centrally and thereafter transmitted to the customer at the remote location, making it difficult to correct or modify the information thus shown to the customer."

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Claim	Support in the '309 Application
67. The method of claim 59, wherein said live assistance is interactive.	The specification at page 7, lines 18-23, discloses: "A number of terminals may be grouped to form an electronic shopping store permitting the customer to obtain desired information on the products of his choice while having access to highly knowledgeable representatives" In addition, the paragraph bridging pages 18 and 19 discloses: "Thus, the agent residing at the central financial services company 12 has the ability to control the above-described electronic communications equipment in the presence of the customer located at the remote facility 14."
68. The method of claim 59, further comprising providing an audio- visual presentation relating to said goods or services.	In reference to providing information to the customer at the remote facility, the specification at page 17, lines 14-17, discloses: "It may comprise audio and visual information related to those goods and services"
69. The method of claim 68, wherein said audio-visual presentation has the form of computerized voice.	The specification at page 19, lines 21-23 discloses: "The system may also utilize voice synthesis to prompt presentations options to the customer and may be used in tandem with visual prompts."

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70. Apparatus for marketing goods or services, comprising	The specification at page 1, lines 10-14, discloses: "The present invention generally relates to a system and method for . . . facilitating transactions utilizing central and remote facilities"

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Claim	Support in the '309 Application
a central communications facility to provide information relating to goods or services to a customer at a computerized remote facility	Figure 1 schematically illustrates: central facility 12, remote facility 14; also the specification at page 13, lines 9-11 discloses: "In this respect the system may be used to execute a transaction between the customer and the central facility or it may only provide assistance to the customer in his selection of goods and services which a local or remote facility are thereafter provide."
said central communications facility adapted to direct said customer to at least one other central communications facility providing information relating to goods or services;	Examples of one central communications facility directing the customer to other central communications facility are throughout the specification, for example, the sentence bridging pages 9 and 10 discloses: "In that sense an electronic phone book may be stored at the remote facility or instead upon pressing or utilizing the touch screen, keyboard or input device the customer may activate the system causing it to retrieve from a central facility a directory of goods and services available and thus permitting the customer to select another central facility from a displayed list"

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Claim	Support in the '309 Application
a first communication device associated with said central communications facility for providing live communication between the central communications facility and said computerized remote facility;	Figure 1 schematically illustrate a first communication device, telephone 34, for providing live communications between central communications facility and the remote facility. See also, the specification at page 29-32.
a second communication device associated with said central communications facility for providing a second simultaneous communication between said central communications facility and said computerized remote facility; and	Figure 1 schematically illustrates a second communication device, modem 30, for providing simultaneous communications between central communications facility and the remote facility. See also, the specification at page 14, line 24.
a database of information relating to goods or services accessible by said customer at said remote facility.	The specification at page 16, lines 3-7: "[t]he customer may establish contact with the central facility's equipment without the assistance of a representative and merely help himself in a self-service mode where he may browse through database of goods and services."

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Claim	Support in the '309 Application
71. The apparatus of claim 70, wherein said database of information relating to goods or services includes a directory of providers of goods or services.	The sentence bridging pages 9 and 10 discloses: "In that sense an electronic phone book may be stored at the remote facility or instead upon pressing or utilizing the touch screen, keyboard or input device the customer may activate the system causing it to retrieve from a central facility a directory of goods and services available and thus permitting the customer to select another central facility from a displayed list"
72. The apparatus of claim 70, wherein said live assistance is interactive.	Referring to FIG. 1, the specification at the paragraph bridging pages 14-15 discloses: "Preferably, two separate phone lines 40, 42 are available to interconnect the respective phones 20, 34 of facilities 14, 12 simultaneously with, but separately from, the interconnection of the respective modems 6, 30 of the facilities 14, 12 so that voice or audio, visual, and data communications can be ongoing concurrently between the customer at the remote facility 14 and an agent at the financial services facility 12."

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Claim	Support in the '309 Application
73. The apparatus of claim 70, wherein said central communications device is adapted to download a software application to said computerized remote facility.	The specification at page 10 lines 12-15 discloses: "[d]ownload certain software from the central facility to the remote location to provide proper control and support for the customer such as by means of appropriate communications software"
74. The apparatus of claim 73, wherein said software application is adapted to provide additional information relating to goods or services.	The specification at page 10, lines 12-15 discloses: "[I]t may also be beneficial to download certain software from the central facility to the remote location to provide proper control and support for the customer". Also, at page 13, lines 9-11: "In this respect the system may be used to execute a transaction between the customer and the central facility"
75. The apparatus of claim 73, wherein said software application is adapted to enable said computerized remote facility to communicate with said central communications facility.	The specification at page 10 lines 12-15 discloses: "[d]ownload certain software from the central facility to the remote location to provide proper control and support for the customer such as by means of appropriate communications software"
76. The apparatus of claim 73, wherein said software application is adapted to enable said computerized remote facility to facilitate a transaction using the information provided by said central communications facility.	The specification at page 10 lines 12-15 discloses: "[d]ownload certain software from the central facility to the remote location to provide proper control and support for the customer such as by means of appropriate communications software"

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Claim	Support in the '309 Application
78. The apparatus of claim 44, wherein said first central communications facility further adapted to provide live customer assistance upon request.	Referring to FIG. 1, the specification at the paragraph bridging pages 14-15 discloses: "Preferably, two separate phone lines 40, 42 are available to interconnect the respective phones 20, 34 of facilities 14, 12 simultaneously with, but separately from, the interconnection of the respective modems 6, 30 of the facilities 14, 12 so that voice or audio, visual, and data communications can be ongoing concurrently between the customer at the remote facility 14 and an agent at the financial services facility 12."
79. The apparatus of claim 44, wherein said first central communications facility further enables said customer to browse said first set of information relating to goods and service.	The specification, at page 16, lines 3-7: "[t]he customer may establish contact with the central facility's equipment without the assistance of a representative and merely help himself in a self-service mode where he may browse through database of goods and services."

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Claim	Support in the '309 Application
80. The apparatus of claim 44, wherein said second central communications facility enables said customer to browse said second set of information relating to goods or services.	Figure 1 schematically illustrates remote facility 14 linked to central communications facility 12; in addition, the specification, at page 16, lines 3-7: "[t]he customer may establish contact with the central facility's equipment without the assistance of a representative and merely help himself in a self-service mode where he may browse through database of goods and services."
81. The method of claim 59, further comprising enabling the remote facility to search said first database or said second database.	The exemplary embodiment disclosed in the sentence bridging pages 23 and 24 recites: "Such a system would be of great benefit to an employment agency or head hunter who might then record interviews with a selection of employee candidates for presentation purposes permitting prospective employees to browse the catalogues of candidates in quickly narrowing and finalizing their recruiting search."

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Claim	Support in the '309 Application
82. An apparatus for providing information relating to goods and services comprising:	The specification at page 1, lines 10-14, discloses: "The present invention generally relates to a system and method for . . . facilitating transactions utilizing central and remote facilities"
a plurality of central communications facilities;	At page 10, lines 2-5, the specification discloses: "[t]hus permitting the customer to select another central facility from a displayed list or catalogue and establish contact with it and this have access to numerous central facilities and a myriad of goods and services."
a remote facility adapted to have access to said plurality of central communications facilities; at least one of said central communications facilities adapted to provide information to enable said remote facility to select another one of said central communications facilities.	Figure 1 schematically illustrates remote facility 14 being linked to a central communications facility 12. In addition, the specification at the sentence bridging pages 9 and 10 discloses: "In that sense an electronic phone book may be stored at the remote facility or instead upon pressing or utilizing the touch screen, keyboard or input device the customer may activate the system causing it to retrieve from a central facility a directory of goods and services available and thus permitting the customer to select another central facility from a displayed list"

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Claim	Support in the '309 Application
83. The apparatus of claim 82, wherein each of the plurality of central communications facilities is connected to a first central communications facility.	The sentence bridging pages 9 and 10 discloses one exemplary embodiment: "In that sense an electronic phone book may be stored at the remote facility or instead upon pressing or utilizing the touch screen, keyboard or input device the customer may activate the system causing it to retrieve from a central facility a directory of goods and services available and thus permitting the customer to select another central facility from a displayed list"
84. The apparatus of claim 82, wherein each of said plurality of central communications facilities is linked to at least one other central communication facility.	The sentence bridging pages 9 and 10 discloses one exemplary embodiment: "In that sense an electronic phone book may be stored at the remote facility or instead upon pressing or utilizing the touch screen, keyboard or input device the customer may activate the system causing it to retrieve from a central facility a directory of goods and services available and thus permitting the customer to select another central facility from a displayed list"

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Claim	Support in the '309 Application
85. The apparatus of claim 82, wherein each of said central communications facilities is further adapted to provide information relating to at least one of goods or services.	The specification at page 9, lines 23-27 discloses: "This would require storing all product information at the central facility so that all activities including product information about these goods and services are then centralized at the central facility." In addition, the specification at page 16, line 3 discloses: "[t]he customer may establish contact with the central facility's equipment . . . where he may browse through databases of goods and services."
86. The apparatus of claim 82, wherein at least one of said central communications facilities is adapted to provide live assistance to said remote facility.	At page 15, lines 31-34, the specification discloses: "At that time the customer may automatically review established presentations to better prepare him for a session with a representative and to educate the customer on the goods and services he is about to consider"

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Claim	Support in the '309 Application
87. An apparatus for marketing goods and services, comprising: a central communications facility adapted to provide a set of information relating to goods or services to a customer at a computerized remote facility, said central communications facility further adapted to be accessible to said customer through at least one other central communications facility	The specification at page 1, lines 10-14, discloses: "The present invention generally relates to a system and method for . . . facilitating transactions utilizing central and remote facilities" Figure 1 schematically illustrates: central facility 12, remote facility 14; page 3 line 34: "unlike the preferred embodiment of the present invention where the information is centralized or stored centrally and thereafter transmitted to the customer at the remote location." Further, examples of one central communications facility being accessible through another central communications facility are throughout the specification, for example, the sentence bridging pages 9 and 10 discloses: "In that sense an electronic phone book may be stored at the remote facility or instead upon pressing or utilizing the touch screen, keyboard or input device the customer may activate the system causing it to retrieve from a central facility a directory of goods and services available and thus permitting the customer to select another central facility from a displayed list"

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Claim	Support in the '309 Application
a communication device to enable said central communications facility to communicate with said remote facility, said communication including transmitting said set of information to said customer at said remote facility.	FIG. 1 schematically illustrates exemplary central communications facility 12 as having a modem adapted to communication with remote facility 14. Further, the specification at paragraph bridging pages 14 and 15, discloses: "[t]he interconnection of the respective modems 6, 30 of the facilities 14, 12 so that voice or audio, visual, and data communications can be ongoing concurrently between the customer at the remote facility 14 and an agent at the financial services facility 12."

Accordingly, Applicant respectfully submits that Randle is not prior art against the rejected claims. Reconsideration and withdrawal of this rejection is respectfully requested.

C. CLAIM 38 IS NOT OBVIOUS OVER THE PRIOR ART

Claim 38 stands rejected as allegedly unpatentable over D'Agostino in view of Dworkin and further in view Filepp. Because claim 38 depends from and further limits the scope of independent claim 30, Applicant respectfully submits that for at least the reasons stated above, claim 38 is not obvious over the references. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

D. THE REJECTION OF CLAIMS 56 AND 66 IS MOOT

Claims 56 and 66 have been cancelled without prejudice to or disclaimer of the subject matter claimed therein. Accordingly, the rejection of claims as allegedly unpatentable over D'Agostino in view of Dworkin and Randle and further in view Filepp is now moot.

V. THE DOUBLE PATENTING REJECTION OF CLAIMS 30-76 SHOULD BE HELD AT ABEYANCE

In paragraph 11 of the Action, claims 30-76 stand rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-5 of U.S. Patent No. 6,055,514 in view of Dworkin, D'Agostino, Randle and Filepp.

While not submitting to propriety of the rejection, Applicant will submit a terminal disclaimer upon indication from the Office that the claims are otherwise allowable.

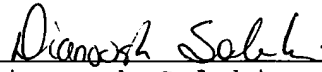
CONCLUSION

It is therefore respectfully submitted that claims 30-45, 47-54, 57-64, and 67-87 are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

The Examiner is invited to contact the undersigned attorney if a telephonic communication is believed to be helpful in advancing the examination of the present application.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. §1.16 or §1.17 to Deposit Account No. 11-0600.

Respectfully submitted,


Dianoosh Salehi
Registration No. 46,352

KENYON & KENYON
1500 K Street, N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 220-4200
Facsimile: (202) 220-4201

Date: April 30, 2002

Red-lined Copy of the Amendment

Please amend the above-identified application as follows:

IN THE SPECIFICATION

Please replace the paragraph beginning on page 17 line 23 (continuing through page 18 line 15) with the following paragraphs:

As seen in Fig. 1, an exemplary remote facility 14 has ~~the equipment used at the two facilities which~~ includes a modem ~~30~~16, a digital computer ~~32~~18 or other means for processing information, instructions or data, a phone ~~34~~20 or other means for exchange of audio transmission, a monitor ~~36~~22, a printer 24 and a keyboard or other input device ~~38~~26.

Fig. 1 further shows an exemplary central communications facility 12 including computer 32 having monitor 36, keyboard/input means 38 as well as Goods and Services Databases and Application Software. As discussed in greater detail herein, a Goods and Services Database includes information of competing goods and services and/or providers of goods and services which may be of interest to the customer at the remote facility. The exemplary central communications facility 12 of Fig. 1 is further shown to have a modem 30 and a phone 34 or other means for exchange of audio transmission. Only aA complementary printer is not needed at the financial services facility 12 for the purpose of facilitating transactions in accordance with the present invention.

Continuing to refer to the schematic illustration of FIG. 1, system 10 shows exemplary central communications facility 12 connected to remote communications facility 14 via links (shown schematically as lines) 40 and 42. Communications link 42 facilitates data communications between computer 32 of central communications facility 12, via modem 30, and computer 18 at remote communications facility 14, via modem 16. Communications link 40 provides for telephonic communication between central communications facility 12 and remote communications facility 14, enabling live communication between a customer at remote facility 14 and a service provider such as a customer service representative at the central communications facility. Preferably, two separate phone lines 40, 42 are available to interconnect the respective phones 20, 34 of the facilities 14, 12 simultaneously with, but separately from, the interconnection of the respective modems 16, 30 of the facilities 14, 12 so that voice or audio, visual, and data communication can be ongoing concurrently between the customer at the remote facility 14 and an agent at the financial services facility 12. Alternatively such contact can be established by coaxial cable such as through a cable company or some other means of establishing contact or by means of some wireless technology such as radio.

Referring again to FIG. 1, it should be noted that the central communications facility 12 shown in the enlarged view is an exemplary embodiment of a central communications facility. Additional central communications facilities 12(#2) through 12(#n) are illustrated in Fig. 1. Each of central facility 12(#2) through 12(#n) can include

substantially the same features as shown in the enlarged view for central communications facility 12, including the functionality for communicating audio, visual and data communications over telephone lines or, alternatively, by cable or wireless technology. Fig. 1 shows a schematic line similar to lines 40 and 42 linking central communications facilities 12(#2) through 12(#n) to each other and to remote facility 14, using the communications functionality described above.

IN THE CLAIMS

Please cancel claims 46, 55, 56, 65 and 66 without prejudice to or disclaimer of the subject matter claimed therein.

76. (Amended) The apparatus of claim 73, wherein said software application is adapted to enable said computerized remote facility ~~facilitates to facilitate~~ facilitate a transaction using the information provided by said central communications facility.